

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 50 of 2000
in
SPECIAL CIVIL APPLICATIONNO 6982 of 1999

WITH

LETTERS PATENT APPEAL No 49 of 2000
in
SPECIAL CIVIL APPLICATION No 10017 of 1999

MANSINGBHAI KAHALSINGBHAI

Versus

SURAT MUNICIPAL CORPORATION

Appearance:

MR BM MANGUKIYA for Appellants
MR PRASHANT G DESAI for Respondent No. 1

CORAM : CHIEF JUSTICE MR DM DHARMADHIKARI
and
MR.JUSTICE B.C.PATEL

Date of Order: 20/06/2000

ORAL ORDER

On pronouncement of the judgment today, Mr. Mangukiya, learned advocate requested the Court to stay implementation and operation of the the judgment for eight weeks. The request is rejected. The judgment cannot be stayed.

Mr. Mangukiya submitted that the appellant may be protected for some time or till he is able to obtain the orders from higher Court. It is directed that the building erected shall not be demolished for a period of four weeks from today. However, the appellant shall maintain statusquo and shall file an undertaking in this Court that he shall not carry out further construction. He shall place on record the photographs of the building as on today. Mr. Mangukiya states that ten days time may be granted to file the undertaking and to produce the

photograph. Time is granted. It is however directed that the Municipal Corporation shall not regularise the construction merely because the petitioner is directed to maintain status quo. All other directions except with regard to demolition shall be carried out.

(D.M. DHARMADHIKARI, CJ)

csm./ (B.C. PATEL, J.)